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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) CR 07-218 JSW
18 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
19 v.) EXCLUDING TIME
20 ERNESTO OSEGUERA-OCHOA aka)
21 JOSE ANDINO-OCHOA,)
22 Defendant.)

23 On May 24, 2007, the parties in this case appeared before the Court and stipulated that
24 time should be excluded from the Speedy Trial Act calculations from May 24, 2007 to June 21,
25 2007 for effective preparation of counsel, in that defense counsel has recently been appointed and
26 requires time to review discovery. The parties represented that granting the continuance was
27 necessary for effective preparation of counsel, taking into account the exercise of due diligence.

28 See 18 U.S.C. § 3161(h)(8)(B)(iv).

29

30 SO STIPULATED:

1 SCOTT N. SCHOOLS
2 United States Attorney

3 DATED: May 29, 2007

4 /s/
5 DENISE MARIE BARTON
6 Assistant United States Attorney

7 DATED: May 29, 2007

8 /s/
9 RONALD C. TYLER
10 Attorney for ERNESTO OSEGUERA-
11 OCHOA

12 As the Court found on May 24, 2007, and for the reasons stated above, the Court finds good
13 cause, taking into account the public interest in prompt disposition of criminal cases that time
14 should be excluded from the Speedy Trial Act calculations from May 24, 2007 to June 21, 2007
15 for effective preparation of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the
16 requested continuance would deny counsel reasonable time necessary for effective preparation,
17 taking into account the exercise of due diligence, and would result in a miscarriage of justice.
18 See 18 U.S.C. §3161(h)(8)(B)(iv).

19 SO ORDERED.

20 DATED: May 30, 2007

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22 Jeffrey S. White
23 United States District Court Judge